SUPERIOR COURT OF WASHINGTON

IN AND FOR YAKIMA COUNTY

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| brandon kapp,  Plaintiff,  vs.  jennifer mcdaniel, public records program manager, washington state department of veterans affairs  Defendant | Case No.: 25-2-02050-39  NOTE FOR MOTION DOCKET |

**Note for Motion Docket**

TO: The Clerk of the Court and to: Counsel for Defendant

PLEASE TAKE NOTICE that the undersigned will bring on for hearing before the Court the following motion:

☑ PLAINTIFF’S MOTION TO COMPEL CERTIFICATION OF COMPLETENESS AND SEARCH AUDIT LOGS

Date of Hearing: Friday, September 19, 2025 (or next available Friday civil motion docket)

Time: 9:00 a.m.

Courtroom: Assigned Civil Motions Calendar

Estimated Time: 15 minutes

☑ Without Oral Argument

DATED this 8th day of September, 2025.

Respectfully submitted,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Brandon Kapp, Pro Se Plaintiff

3112 Wrangler Dr.

Ellensburg, WA 98926

Email: b-kapp@outlook.com

Phone: 619-517-6069

**Proposed Order (Compel Certification & Metadata)**

THIS MATTER came before the Court on Plaintiff’s Motion to Compel Certification of Completeness and Production of Search Audit Logs.

The Court, having reviewed the pleadings, the motion, and the record herein, and being fully advised, hereby ORDERS:

1. Defendant shall, within 14 days of this Order, file and serve a sworn certification under penalty of perjury stating that:

- All custodians reasonably likely to possess responsive records were identified and searched;

- All relevant systems (Outlook, SharePoint, Teams, and personal devices used for state   
business) were queried;

- The full date range of Plaintiff’s requests was searched; and

- No further responsive records exist.

2. Defendant shall, within 14 days, produce the following documentation:

- A list of all individuals searched;

- A list of search terms used;

- The dates and times of searches performed;

- Email headers, timestamps, and metadata for responsive communications;

- System-generated audit logs showing search execution, repositories accessed, and tools used.

3. Plaintiff reserves the right to seek sanctions or adverse inference if the certification is materially false, incomplete, or if additional responsive records are later discovered.

IT IS SO ORDERED.

DATED this \_\_\_ day of \_\_\_\_\_\_\_\_\_\_, 2025.

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JUDGE OF THE SUPERIOR COURT

Presented by:   
  
  
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Brandon Kapp, Pro Se Plaintiff

CERTIFICATE OF SERVICE

I certify that on the 8th day of September, 2025, I caused a true and correct copy of the foregoing

NOTE FOR MOTION DOCKET and [PROPOSED] ORDER to be served upon counsel for Defendant:

NICHOLAS W. BROWN

Attorney General

JOSEPH CHRISTY, JR., WSBA No. 30894

DANA GIGLER, WSBA No. 38193

Assistant Attorneys General

Office of the Attorney General

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PO Box 40124

Olympia, WA 98504-0124

Email: Joseph.Christy@atg.wa.gov; Dana.Gigler@atg.wa.gov

☑ Via U.S. Mail, postage prepaid

☑ Via Electronic Mail

I certify under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.  
Executed this 8th day of September, 2025 at Ellensburg, Washington.

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Brandon Kapp, Pro Se Plaintiff